

Application No.: 10/672762

Case No.: 58634US002

REMARKS

Claims 1-10, 12, 17-25, and 27-44 are pending.

Claims 11, 13-16, and 26 have been canceled without prejudice. More particularly, the cations of Formula II have been removed from the current application. Applicants reserve the right to file a divisional or continuation application claiming the subject matter of the cancelled claims.

Claims 2, 3, 7-10, 24, 25, and 27-39 have been withdrawn from consideration.

Claims 1, 7, 9, 10, 12, 24, 27, 30, 33, and 37 are currently amended. New claims 40-44 have been added. The amendments are fully supported by the original claims or by the detailed description section of the specification and add no new matter.

Election / Restrictions

Applicants acknowledge the election with traverse of Group I, claims 1-23 drawn to a composition. The selected species of the arylsulfinate salt is 4-cyanophenylsulfinate tetraphenyl phosphonium and the selected species of the electron donor is diphenyliodonium hexafluorophosphate.

Applicants acknowledge that the Examiner withdrew the election of species with respect to electing the nitrogen-containing or phosphorous-containing cation of the electron acceptor. The Examiner stated that "no prior art teaching an arylsulfinate salt of a phosphonium cation in combination with an electron acceptor has been found."

Rejections under 35 U.S.C. § 102(b)

Claims 1, 4-6, 11, 13-15, 17, 18, and 20-23 stand rejected under 35 USC § 102(b) as being anticipated by U.S. Patent No. 5,486,544 (hereinafter "US '544") of Kawashima et al. Applicants respectfully submit that the pending claims are not anticipated by this reference.

Although US '544 discloses some arylsulfinate salts, there is no disclosure of arylsulfinate salts that have a cation selected from (1) a phosphorous-containing cation of Formula III or (2) a nitrogen-containing cation having a ring structure that includes a 4 to 12 member heterocyclic group.

Applicants respectfully request removal of the lack of novelty rejection based on US '544.

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Rejections under 35 U.S.C. § 103(a)

Claims 1, 4-6, 11, 13-15, and 17-23 stand rejected as obvious over U.S. Patent No. 4,859,572 (hereinafter "US '572") of Farid et al. in view of US '544. Applicants respectfully submit that the pending claims are not obvious based on this combination of references.

Although both US '572 and US '544 disclose some arylsulfinate salts, there are not arylsulfinate salts disclosed or suggested that have a cation selected from (1) a phosphorous-containing cation of Formula III or (2) a nitrogen-containing cation having a ring structure that includes a 4 to 12 member heterocyclic group.

Applicants respectfully request withdrawal of the obviousness rejection based on the combination of US '572 and US '544.

Provisional Double Patenting Rejections

Applicants acknowledge the provisional rejection based on the judicially created doctrine of obviousness-type double patenting over copending U.S. Patent Application Nos. 10/672,554; 10/672,814; and 10/847,523. Applicants believe that these copending applications have claims of a different scope than the pending claims. However, Applicants agree, if necessary, to address these rejection after claims have been allowed.

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested. Allowance of pending claims, as amended, at an early date is solicited.

Respectfully submitted,

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Date

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